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VIA HAND DELIVERY

Senator Martin M. Looney
Senator Andrew W. Roraback
Bipartisan Committee of Review
C/O Attorney Sandra Norman-Eady
Room 5100
Legislative Office Building
Hartford, CT 06106

Dear Chairmen Looney and Roraback:

Senator DeLuca was deeply troubled by the Committee's resolution yesterday seeking subpoena power from the full Senate. Senate Resolution 200 and the Committee's own Procedures adopted on August 22, 2007 make clear that a request for "additional resources," such as subpoena power, could not be made unless the Committee voted to recommend expulsion to the full Senate. Senate Resolution 200, § 4, 9; Committee Procedures, § 9.

As set forth in Senator DeLuca's position statement dated November 5, under the circumstances of this matter, there is no constitutional, statutory or precedential basis to expel Senator DeLuca and thereby override the will of the electors. Senator DeLuca did not commit a felony and his conduct in this matter was "a private matter [and] did not relate to his official position or his official office." Chief State's Attorney's Press Statement, Hartford Courant, June 2, 2007, p. A13. The fact that Committee specifically discussed the expulsion recommendation requirement and then disregarded that requirement to pass the resolution raises serious questions about the fairness of the Committee process. It is troubling to Senator DeLuca that at the same time the resolution yesterday cited a compromise of the "confidence in state government," the Committee knowingly disregarded the very law that created the Committee and the Procedures that the Committee itself adopted.

Senator DeLuca is also concerned about the rationale for the Committee's action. Chairman Looney claimed as a basis for seeking subpoena power the fact that Senator DeLuca pointed out in his November 5 position statement that he immediately rejected the undercover bribe attempt by stating emphatically, "No, I don't want it." Chairman Looney claimed, and the resolution implies, that this assertion now needs

to be tested against the confidential and private surveillance tapes. Such an exercise is not necessary.

Senator DeLuca's rejection of the undercover agent's unwarranted bribe attempt, and the Senator's specific words rejecting the bribe, were discussed in open court and in front of the state and federal prosecutor—without dispute or contest—in Senator DeLuca's June 4 court appearance. That "publicly available information," and the fact that the non-public surveillance tapes existed, were known when the Senate passed Resolution 200 and specifically limited the Committee's review to "publicly available information." The suggestion that Senator DeLuca's position statement somehow created a new rationale to ignore the Senate's specifically defined scope of review is unfounded. The Committee has also known since September that Senator DeLuca is not going to agree to release the private surveillance materials.

In addition to these procedural concerns, the Committee, and the Senate if it considers the Committee's resolution, should take note that the electors of Woodbury re-elected Senator DeLuca yesterday to the position of town moderator. Senator DeLuca won the election against a candidate, Mark Alvarez, whose main platform was that the conduct that this Committee is reviewing rendered Senator DeLuca an ineffective or inappropriate candidate. *See, e.g.,* Hartford Courant article, November 4, 2007. The Committee should understand that Senator DeLuca's electors in Woodbury do not agree.

To reconvene the entire State Senate when there is no sound basis to expel Senator DeLuca is inappropriate. It is now clear that Senator DeLuca's electors do not want their constitutional right the select their senator usurped by this political process. The "public trust" in Senator DeLuca and the Senate remain intact. Respectfully, this lengthy and difficult process should have ended yesterday with a resolution of no action, reprimand or censure. It is unfair to Senator DeLuca and it creates a dangerous precedent to disregard the Committee rules and to try to change the rules at the end of the review process.

Respectfully,

Craig A. Raabe

Copy to: Senator Louis DeLuca
Senator Donald Williams
Senator John McKinney